

REMARKS

Reconsideration and allowance of the subject application in view of the following remarks are respectfully requested.

By this Amendment, claims 5, 19, 20, 25 and 27 are amended. Accordingly, claims 1-27 are pending in this application. No new matter is presented in this Amendment.

Claim objections

The Examiner objects to claim 27 because of informalities. Applicant amends claim 27 to replace the word “the” before “method” with “a” as suggested by the Examiner to obviate the objection thereto. Accordingly, withdrawal of the objection to claim 27 is respectfully requested.

Claim rejections- 35 U.S.C. §112

Claims 5, 8, 11, 19-26 are rejected under 35 U.S.C. §112, *second paragraph* as being indefinite for failing to particularly point out and distinctively claim the subject matter. Applicant amends the language in claims 5, 19, 20, 25 and 27 to overcome these rejections, therefore, claims 5, 19, 20, 25 and 27 should be patentable. Further, claims 8 and 11 depend from claim 5, claims 21-24 depend from claim 21, claim 26 depend from claim 25, and are considered patentable at least for the reason advanced with respect to claims 5, 21 and 25. Accordingly, this rejection should be withdrawn.

Double patenting

Claims 1-27 are rejected on the ground of nonstatutory provisional obviousness-type double patenting as being unpatentable over claims 1-28 of copending Application No. 10/814,223 and claims 1-28 of copending Application No. 10/814,286. In response, a Terminal Disclaimer is filed with the present application. Accordingly, this rejection should be withdrawn.

All objections and rejections have been addressed. In view of the foregoing, Applicant respectfully submits that the application is in condition for allowance and favorable reconsideration and prompt allowance of claims 1-27 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 07-1337 and please credit any excess fees to such deposit account.

Respectfully submitted,

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